

EX PARTE OR LATE FILED  
**CROWELL & MORING LLP**  
1001 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004-2595  
(202) 624-2500  
FACSIMILE (202) 628-5116

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**MAR 27 1998**

**JOHN T. SCOTT, III**  
(202) 624-2582

March 27, 1998

**FEDERAL COMMUNICATIONS COMMISSION**  
**OFFICE OF THE SECRETARY**  
IRVINE, CALIFORNIA 92614  
(714) 263-8400  
FACSIMILE (714) 263-8414  
180 FLEET STREET  
LONDON EC4A 3HD  
44-171-413-0011  
FACSIMILE 44-171-413-0333

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Ex Parte Notice: CC Docket No. 96-115

Dear Ms. Salas:

On March 26, 1998, a meeting was held between Mark Tuller, Debra Carroll, Howard Woolley, and John Scott, representing Bell Atlantic Mobile, and Jeanine Poltronieri, Janice Jamison and Todd Slamowitz of the Wireless Telecommunications Bureau, with regard to the Commission's Second Report and Order (FCC 98-27) in the above-referenced docket.

Bell Atlantic Mobile discussed its concerns that various provisions of the Order would impede competition among providers of commercial mobile radio services, interfere with wireless customers' ability to obtain new services and features, violate customers' expectations, and impair the efforts of all wireless carriers to compete in the market and serve their customers. Bell Atlantic Mobile supplied the attached pages which quote the provisions of the Order that were discussed in its presentation.

Should there be any questions regarding this matter, please contact the undersigned.

Sincerely,

*John T. Scott, III*

John T. Scott, III

cc: Ms. Poltronieri  
Ms. Jamison  
Mr. Slamowitz

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## CPE AND INFORMATION SERVICES

- ¶ 77 “We reject. . . that we should permit carriers to use CPNI in connection with CPE and information services. . . [I]t is true that the Commission previously had allowed CMRS carriers to use CMRS CPNI to market CMRS-related CPE and information services.”
- ¶47 “We recognize that the Commission has permitted CMRS providers to offer bundled service, including various ‘enhanced services’ and CPE, prior to the 1996 Act. We disagree, however. . . that consistent with section 222(c)(1)(A), CMRS providers should be able to use CMRS-derived CPNI without customer approval to market these offerings when they provide CMRS to a customer.”
  - Rule: “A telecommunications carrier may not use, disclose, or permit access to CPNI derived from its provision of . . . CMRS, without customer approval, for the provision of CPE and information services. . . “

## CUSTOMER RETENTION AND WIN-BACK

- ¶85 “We also do not believe. . . that section 222(d)(1) permits the former (or soon-to-be former) carrier to use the CPNI of its former customer (i.e., a customer that has placed an order for service from a competing provider) for ‘customer retention’ purposes.”
  - Rule: “A telecommunications carrier may not use, disclose, or permit access to a former customer’s CPNI to regain the business of the customer who has switched to another service provider.”

## COMPUTER SYSTEMS

- ¶194 “[O]ur new CPNI scheme will impose some additional burdens on carriers, particularly on carriers not previously subject. . . . We believe, however, that these requirements are not unduly burdensome. . . .[F]or carriers that offer only one service, such as local exchange, the CPNI requirements are minimal, and thus, not overly burdensome.”
  - Rules: “Telecommunications carriers must develop and implement software that indicates within the first few lines of the first screen of a customer’s service record the CPNI approval status and reference the customer’s existing service subscription.
  - “Telecommunications carriers must maintain an electronic audit mechanism that tracks access to customers accounts, including when a customer’s record is opened, by whom, and for what purpose.”